



June 14, 2024

The Honorable Laura D. Hatcher  
J. Caleb Boggs Federal Building  
844 N. King Street  
Unit 8  
Room 2124  
Wilmington, DE 19801-3555

RE: Par Pharmaceutical, Inc. et al. v. Zydus Pharmaceuticals (USA) Inc., et al.  
Civil Act. No. 23-866-RGA-LDH

Dear Judge Hatcher:

Pursuant to this Court's Oral Order on June 3, 2024 (D.I. 72), Delaware and Lead Counsel for each of the parties met and conferred on June 12, 2024 from 4:00 p.m. to 4:15 p.m. ET. The following individuals participated in the meet and confer via a teleconference:

For Plaintiffs:

- Martin J. Black
- Brian M. Goldberg
- Rosemary J. Piergiovanni

For Defendants:

- James T. Peterka
- Zhibin Li
- Jacob C. Britz
- Alexis N. Stombaugh

Subsequent to the meet and confer, counsel for Par and Zydus exchanged proposals over the course of Wednesday evening, Thursday, and Friday to reach an agreement on one of the four claim construction disputes regarding terms related to the means for reducing or removing nitrosamine impurities:

- "means for reducing the nitrosamine impurities" ('524 patent, claim 1)
- "means for removing the nitrosamine impurities" ('524 patent, claim 12)
- "employing an acid-base treatment to remove the nitrosamine impurities" ('524 patent, claims 18 and 26)

Attached as **Exhibit A** to this letter is a copy of the parties' Amended Joint Claim Construction Chart. The Amended Joint Claim Construction Chart sets forth all agreed-upon constructions and all terms that remain in dispute, along with a concise statement of the parties' dispute for each term, as well as what Plaintiffs contend is the plain and ordinary meaning of each term.

The parties continue to dispute the following claim terms:

- “an acid-base treatment” (’524 patent, claims 1, 12, 18, and 26)
- “0.15% (w/w)” (’587 patent, claims 1, 13, and 24)
- “as measured by [method]” (’524 patent, claims 1 and 18; ’587 patent, claims 1, 13, and 24)

Respectfully submitted,

/s/ Rosemary J. Piergiovanni

Rosemary J. Piergiovanni (Bar No. 3655)

Cc: Counsel of Record (via e-filing)